

APPENDIX J. FORESTRY SUMMIT AND WORKING LANDS SUMMIT RECOMMENDATIONS

2004 North Carolina Forestry Summit Report Issues and Action Items (NCDFR 2004)

Urbanization

- The Division of Forest Resources (NCDFR) will continue its Longleaf Pine Initiative, and begin developing a Shortleaf Pine Initiative. NCDFR will investigate other means to promote and invigorate efforts to enhance the growth of forest communities that warrant special attention.

Increased Risk of Wildfire

- Undertake initiatives to address the contributing role of working forests in an urbanizing area, through established Wildland/Urban Interface fire prevention programs and developing programs for urbanized forested watersheds.
- The NCDFR will continue an aggressive program to protect North Carolina's citizens, property, and forest resources from disastrous wildfire.

Natural Disasters

- Work to assure adequate cost share funds are available to continue forest regeneration.
- The use of 'timber bonds' or some form of affordable insurance policy could relieve the risk burden forest landowners currently face with having to invest for several decades in forest improvements and growth.

Forest Health

- Continue monitoring threats and promote research for affordable, effective, and ecologically sound control and eradication methods.
- Encourage all government agencies to evaluate the use and establishment of plant materials to insure that aggressive, non-native, or invasive plants are not being perpetuated.
- Aggressively monitor these forest health indicators and take action to alleviate poor conditions.

The Next Generation

- The NCDFR will increase information and education efforts focused on working forests with the message "Managed Forests = Healthy Forests" and a corresponding healthy economy. Additionally, NCDFR will continue its assessment of "under served" customers that have not been adequately addressed through traditional forest management or forest protection programs.

Focus Area 1: Necessity of Present Use-Value (PUV) Taxation & the Right to Practice Forestry

- Legislative enactment of a "right to farm and practice forestry" would eliminate the ability of local governments to enact prohibitive zoning, rules, ordinances, or other restrictions related to working forests and farms.
- Develop a white paper that provides benefit: cost information for local government to highlight the potential value of maintaining working lands versus the need for infrastructure to support commercial or residential development. This paper would:
 - Explain the intent and provisions of Forestry and Agriculture PUV programs.
 - Provide options for allowing wildlife and conservation lands to qualify for PUV in a manner that is consistent with, and complementary to, existing PUV programs.
 - Provide examples where shortcomings in the current PUV system create unintended punitive consequences on landowners.

Focus Area 2: Value of Professional Forestry Assistance and Forestry Associations

- Improve involvement of County Extension Agents, NRCS District Conservationists, and other agencies with forest management needs.
- Re-establish CES Area Forestry Specialists to support County Agents' forestry needs.
- Re-invigorate the development and continuity of county forestry associations.
- Strengthen relationships between consulting foresters, Division of Forest Resources, Soil & Water Conservation Districts, and CES Extension Agents.

Focus Area 3: Growth of the NC Forest Development Program (FDP) and Other Cost Share

NCDFR will explore issues of funding and administering cost-shared timber stand improvement (TSI), such as:

- Are changes needed in primary processor assessment fees?
- What additional appropriations are necessary to support TSI cost sharing?
- Is it possible to reduce the percentage of cost-shared amount and still remain as a viable financial incentive for landowners? This may allow existing funding to be used over more acres and landowners.
- Is a stand-alone cost share program needed for TSI work, instead of modifying FDP?

Focus Area 4: Sustainability of Forest Industry Markets and Wood/Fiber Product Research

- NCDFR will hire a Utilization & Marketing Forester (position was advertised in Nov. 2004).
- Enhance inter-agency cooperation with Dept of Agriculture & Consumer Services and Department of Commerce in promoting forestry-based goods and commerce.
- Educate policy-makers and the general public on:
 - The economic importance of forestry for North Carolina.
 - Opportunities for new economic gains from non-traditional forestry operations
- Provide forest industry with worker training and development through continued support of the Community College system.

Focus area 5: Working Lands Opportunities with Conservation Easements and Trust Funds

- North Carolina should fully fund its Trust Funds to insure land conservation efforts continue. These include the Farmland Preservation Trust Fund, Clean Water Management Trust Fund, Natural Heritage Trust Fund, Ecosystem Enhancement Program, and Parks & Recreation Trust Fund.
- Draft a letter, on behalf of this committee, for state elected officials and policy-makers explaining the value of creating, or expanding an existing, Trust Fund that would promote CE's on working forests and farms.
- NCDFR will develop a proposal for a State Forest Legacy trust fund that could provide additional funding for conservation easements or NCDFR fee-simple acquisition of ecologically significant working forestland in support of the NCDFR's long-term plans for expanding the Educational State Forest system and Forest Legacy Program.

North Carolina Plan for Working Lands Conservation - summary of issues and action steps (NC Association of Soil and Water Conservation Districts and NC Div. of Soil and Water Conservation, 2005)

Private Lands; Public Benefits

- The Association of Soil and Water Conservation Districts, together with partnering organizations and agencies, should prepare a report describing the public benefits of private working lands conservation.
- The Association of Soil and Water Conservation Districts, together with partnering organizations and agencies, including the One North Carolina Naturally initiative, should prepare and distribute a brochure for the above report.

Balancing State Policies and Priorities in Conservation

- Agencies and partnering groups must make more of a collaborative effort to articulate the working lands conservation message to the Governor, members of the General Assembly and agency heads.
- Private working lands conservation should be elevated as a priority in state conservation policy via legislation. Statutory direction should be provided by the General Assembly stating a preference that land shall remain in a privately owned working state where feasible in achieving conservation purposes.
- To complement existing legislation codifying the Million Acres Initiative for land preservation, the General Assembly should provide legislative direction to NCDENR to track and report conservation on privately owned *working lands* as a tool in accomplishing the state's goal for protecting land and natural resources, specifically directing that NCDENR cooperate with local governments and Soil and Water Conservation Districts, and to add support services (e.g., GIS), to provide an annual report on categories of conservation programs delivered in partnership with working landowners.
- Looking specifically at military properties and adjacent privately owned lands, military base closure or encroachment response plans should avoid relying on public purchase of adjacent lands, because such lands (e.g., agriculture and forest lands) should remain in private ownership and in a working state.
- The North Carolina General Assembly should develop new funding sources to grow overall conservation funding, adding emphasis to programs for working lands conservation.
- While growing overall conservation funding is an objective of this or any plan for conservation, it must be recognized that funding is finite. Success of this plan in advancing working lands conservation should not be limited to the event that new, additional funds are made available for all conservation purposes. That is, should new funds not be made available, North Carolina's General Assembly should re-examine its existing priorities, and should give greater emphasis to working lands conservation in allocating available resources among programs in conservation of working lands, public land acquisition, and regulation.
- The state's commitment to a greater emphasis on working lands conservation should be reflected in the state budget process and in budget decisions at the agency level and in the General Assembly.
- This plan should be used to shape state policy, as it is incorporated in legislation and in formulation of the overall state plan for land conservation under the One North Carolina Naturally initiative, to advance emphasis on working lands conservation.
- Agencies, boards and commissions administering conservation programs and related grant programs using public funds should be directed by the General Assembly to incorporate working lands conservation purpose and components into their programs as appropriate.

Local Leadership and Partnerships

- The NC Association of Soil and Water Conservation Districts should co-host a series of local (county-level) workshops with county commissions to discuss, in a public forum, local land conservation issues, and to develop a local strategy for land conservation.
- The One NC Naturally plan should include actions designed to facilitate local leadership on the working lands conservation issue, such as initiatives to build local leadership in forming a local strategy for conservation.
- The General Assembly should provide direction, via legislation, to state efforts to support local leadership in land conservation. This should include an overall statement of intent as to the facilitating role for state government, and specific direction to agencies as to how to promote and support local leadership through facilitation, planning, technical assistance, incentives and innovative funding mechanisms.
- The Association of Soil and Water Conservation Districts and the Association of County Commissioners should cooperate in development of coordinated association policy or enter into agreements dealing with issues of common interest on working lands conservation and related issues.
- The One NC Naturally plan should include state actions designed to facilitate local partnership-building on the working lands conservation issue, including providing grant opportunities, identifying appropriate organizations to help bring together at the local level, sponsorship and planning of local workshops and meetings, and identifying innovative ways to establish and support local partnerships through facilitation by state-level organizations (state associations, agencies, non-profit organizations, Councils of Government, etc.).
- The Association of Soil and Water Conservation Districts should work with land trusts and other “non-traditional” partners identified at the Summit on Working Lands Conservation to continue to build local networks and partnerships.
- The Association of Soil and Water Conservation Districts should actively involve Resource Conservation and Development Councils (RC&D) as partners at the local and multi-county RC&D area level in working lands conservation.
- Land trusts should inform Soil and Water Conservation Districts about their local capabilities and interests, develop shared objectives for working lands conservation, train local conservation district staff in stewardship and monitoring associated with various conservation easements, and undertake joint projects.

Existing Tools

- The General Assembly should direct agencies, trust funds, boards and commissions using public conservation funds to evaluate how their conservation programs can be made more landowner-driven, by incorporating greater landowner participation and developing objectives based on working lands conservation purpose and conservation planning.
- Execution of working lands conservation agreements (e.g., conservation easements) should be built upon conservation planning based on the land and landowner needs, and easement terms (periods) and conditions should be developed based on conservation and management options chosen by the landowner (not the other way around).
- The Conservation Partnership should reinforce its efforts to achieve comprehensive conservation planning by its members, by continuing to place priority (e.g., scoring, ranking) on systems-based approaches and comprehensive planning as appropriate in its services and technical training programs.
- The Conservation Partnership and other participating organizations should explore “place-based” approaches as a means to enhance comprehensive conservation planning (e.g., in watersheds) to supplement base conservation programs, and to combine conservation planning with services responding to other location-based needs.

- The NC Soil and Water Conservation Commission, working with NRCS, land trusts, watershed groups, and NCDENR, should develop a plan for accessing, collecting, compiling and distributing improved natural resource information on working lands for use by local leaders in working lands conservation program planning and setting of priorities.
- The NC Soil and Water Conservation Commission, working with NRCS and NCSU, should strengthen its process for creating and modifying technical standards and specifications for conservation practices and for new and innovative tools for working lands conservation, taking advantage of the Commission's statutory authority and rules for approving best management practices for water quality programs.
- NRCS, working in cooperation with the NC Soil and Water Conservation Commission, should adapt technical standards and specifications as necessary to support innovative tools for working lands conservation.
- The General Assembly should increase appropriations for technical assistance in the Agriculture Cost Share Program by \$2 million.
- State agencies should determine how to expand opportunities to leverage funding from federal, local, other state, and private sources for technical assistance for working lands conservation, including in particular, federal Clean Water Act non-point source program (s.319), Farm Bill conservation programs, state revolving loan funds, and state trust fund grants.
- The Conservation Partnership should prepare a training needs assessment to identify the needed training and potential funding sources.
- The General Assembly should increase Agriculture Cost Share Program Financial Assistance funding by \$3 million over 2001 funding levels to reflect cost share programs' critical support to working lands conservation.
- The General Assembly should establish funding for a forestry management practices cost share program for private forest landowners to supplement that for agriculture.
- The General Assembly should increase appropriations for technical assistance (see section 4.4) concomitant with increased appropriations for financial assistance for cost share programs.
- The Conservation Partnership and other participating organizations should explore "place-based" approaches as a means to focus additional comprehensive conservation planning and cost share participation (e.g., in watersheds) for a portion of increased appropriation, as a complement to base conservation programs.
- The General Assembly should explore how to expand the meaningfulness to private landowners of Voluntary Agriculture Districts (VADs) under North Carolina statutes, by offering added benefits and services to working landowners through VAD designation and related actions. This should include supporting an expanded NC Farmland Protection Program, supporting local agricultural economic development planning and implementation, targeting business planning and education programs and professional services in VADs, employing location-based marketing approaches, and connecting landowner incentives and local government revenue challenges associated with VADs.
- The General Assembly should pass legislation adding forested properties to VADs, creating Voluntary Agricultural and Forestry Districts, and offering additional incentives, benefits and services to attract working forest landowners and managers.
- Where public funds are used in programs that acquire interest in private property by way of conservation easements on working lands, greater flexibility and working land purpose should be incorporated into these agreements to ensure that they are consistent with the working nature of the land, and the certainty of changes in the future.
- The General Assembly should consider extending state income tax credits to landowners participating in conservation programs applying agreements other than permanent conservation easements.

- North Carolina's Congressional Delegation should seek federal legislation expanding federal income tax credits for conservation to include additional non-permanent conservation easement options.
- The General Assembly should direct agencies, boards and commissions using public funds for conservation easements to increase options available to landowners to include their forested properties to help the state achieve its environmental goals while retaining landowners' opportunities for economic benefit.

New Tools

- The state association should seek additional appropriations from the General Assembly to support technical assistance positions in Soil and Water Conservation Districts under the Agriculture Cost Share Program, and for other related working lands conservation work.
- The state association and NCDENR should seek additional appropriations from the General Assembly to fund technical and professional support positions in the Division of Soil and Water Conservation, to provide scientific and technical tools, training and other support to Soil and Water Conservation Districts in areas of engineering, design, soil science, conservation planning, water quality, grant management, technical operation review, regional coordination and other needed services.
- The Soil and Water Conservation Commission should work with the Conservation Partnership to prepare a plan to deliver training and build added technical capacity in the local conservation infrastructure, and to produce a technical services infrastructure funding strategy taking advantage of appropriations, grants and partnership training.
- Soil and Water Conservation Districts, through the state association, should prepare an agreement with the NCDFR, USFS, and private forestry associations to help deliver technical and financial assistance and conservation planning to small plot, non-industrial forest landowners.
- The state association should establish partnerships with the North Carolina Farm Transition Network, land trusts and other organizations to help make available these professional services, and to couple these technical and professional services with delivery of traditional working lands conservation programs.
- The state association should continue working with non-traditional partners to help develop training for Soil and Water Conservation Districts in technical assistance for innovative land conservation tools.
- The Soil and Water Conservation Commission and General Assembly should work together to improve participation by the private sector and non-governmental organizations in working lands conservation programs, to fill critical gaps in technical capacity at local levels.
- North Carolina must maintain high standards and accountability for private sector technical specialists, such as under technical specialist designation by the NC Soil and Water Conservation Commission and certification by NRCS, to ensure that landowners receive good quality technical services at a fair price.
- One North Carolina Naturally maps, or other land conservation planning maps or databases, should include attribute data for all parcels describing what the parcel is to be protected for. Maps should refer to plans or other documents describing to what degree such purposes may be achieved through public/private partnerships, retaining the land in private ownership and in a working state.
- The General Assembly should consider incentives and benefits needed to implement innovative approaches to help sustain the working nature of lands identified as significant candidate properties for conservation agreements.
- The General Assembly should direct, via legislation, that land shall remain in private ownership and in a working state where feasible in achieving conservation purposes.

- Agencies with public holdings should consider innovative partnership approaches with private landowners (for example, establishing encroachment buffers around military bases, shared-use agreements, contracting land management services), where feasible, as an alternative to additional public lands purchase, so that adjacent lands may retain their private ownership and working character, and where local private/public partnerships can work together to determine how the land can best be managed to provide mutual benefit.
- The One North Carolina Naturally initiative should prepare maps of public holdings and portfolio parcels, and should overlay these areas with productive farmland, forestlands, and ranches in private holdings, to determine where public/private partnerships may be developed that provide mutual benefits while retaining land in private ownership and a working state.
- Soil and Water Conservation Districts, through the state association, should seek assistance from organizations such as the NC Farm Transition Network, NC Farm Bureau, American Farmland Trust, Conservation Fund and others to prepare recommendations to boards, commissions and agencies, and to the General Assembly, regarding two areas: a) the most effective range of options that should be provided to working landowners and managers from a business perspective; and b) the best application of conservation tools involving private working lands, based on an analysis of business planning and transition issues.
- Soil and Water Conservation Districts, through the state association, should become part of the NC Farm Transition Network, joining the network of business transition and viability professionals to combine conservation technical assistance with services to overcome business succession related barriers to participation in conservation, to assist farm and forest owners with the development of business succession and transition plans, and to integrate conservation measures together with those business succession plans.
- North Carolina should expand benefits delivered to private landowners and managers through Voluntary Agricultural Districts (VADs). Soil and Water Conservation Districts, through the state association, should cooperate with organizations such as the NC Association of County Commissioners, NC Farm Transition Network, NC Farm Bureau, American Farmland Trust, Conservation Fund and others to recommend to the General Assembly revisions to the NC VAD law to include additional incentives as may be successfully employed in other states, or as hold promise based on North Carolina's needs.
- The state association should consider and support findings and recommendations of Present Use Value Tax study group regarding tax incentives for conservation, specifically as they pertain to fairness in establishing incentives for working landowners' conservation efforts.
- The state association should cooperate with DENR to specifically evaluate how to provide regulatory benefits to working lands via water use allocation, water use efficiency rewards, and emergency water use requirements.
- The General Assembly should consider how to provide liability protection to working lands where public/private partnerships are established to enhance conservation on private lands in cooperation with management of adjacent public holdings.
- The state association should work with USDA and the NC Congressional delegation to help establish a larger state partnership role in procedures used and decisions made regarding the federal Conservation Security Program created under the 2002 Farm Bill, especially as the Conservation Security Program continues to take shape under this and the next Farm Bill.
- Soil and Water Conservation Districts, through the state association, should prepare resolution(s) for action in 2005 to place conservation districts in a leadership role in determining and facilitating proper management of private working lands participating in conservation programs. This should include development of expanded partnerships with land trusts and other interests, and any needed legislation.

Limited Resources and Beginning Farmers and Landowners

- The General Assembly should direct conservation agencies, boards, commissions and trusts using public funds to develop improved working lands conservation tools (including “working” farm and forest easements), designed to improve participation and meet landowner objectives, in particular those with limited available resources.
- The General Assembly should direct agencies, boards, commissions and trusts to avoid over-reliance on measures such as perpetual easements, and bargain sales or donations, that cannot (of themselves) sustain working landscapes, and that offer very little opportunity to limited resource and beginning working farmers, ranchers and foresters and their families.
- The One North Carolina Naturally plan should include provisions that facilitate technical information and contacts in support of services designed to reach limited resource and beginning farmers, ranchers and foresters.
- Soil and Water Conservation Districts, through the state association, and partnering with the Land Trust Assembly, Black Family Land Trust, Land Loss Prevention Project, Sandhills Family Heritage Association, Conservation Trust of North Carolina, tribal councils, Forest Landowners Association and other interests, should develop plans and partnerships for outreach and education to limited resource landowners, beginning farmers, tribal groups, and other landowners who may not have participated in traditional conservation programs, taking advantage of the special provision in cost share programs for these landowners, and working to develop other means of improved access to conservation programs.

Working Lands Conservation Funding

- The NC Association of Soil and Water Conservation Districts should prepare a multi-year financial needs assessment for conservation on working lands, and submit the assessment and related information to the Governor and General Assembly, for their consideration in developing bi-annual state budgets.
- The association should request the General Assembly to establish a dedicated funding source for working lands conservation, and to appropriate funds from this new source directly to responsible conservation agencies, commissions and programs.
- The General Assembly should establish a time-limited advisory group knowledgeable about working lands and land-based businesses to provide input and advice to that body in design and implementation of a new, dedicated funding source for working lands conservation.
- The state association should partner with other working lands conservation interests to identify funding source options for the General Assembly, and to establish a process for developing funding source(s) needed to support working lands conservation funding needs.
- The state association should partner with other working lands conservation interests to identify specific programs and services that will be included under any new funding source(s), and to catalogue what is to be accomplished with proposed programs and services for working lands conservation.

References

- N.C. Division of Forest Resources (NCDFR). 2004 (DRAFT). 2004 North Carolina Forestry Summit Report. N.C. Department of Environment and Natural Resources, Division of Forest Resources, Raleigh, NC.
- N.C. Association of Soil and Water Conservation Districts and N.C. Division of Soil and Water Conservation. 2005 (DRAFT). A North Carolina plan for working lands conservation: summary of principles and action steps. N.C. Department of Environment and Natural Resources, Division of Soil and Water Conservation, Raleigh, NC.